RESOLUTION NO. 2015-12R

A RESOLUTION APPROVING THE FIRST AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN WASHINGTON COUNTY AND MUNICIPALITIES WITHIN THE COUNTY REGARDING THE DISTRIBUTION OF RAP TAX REVENUE

WHEREAS, through a ballot opinion question included in the November 4, 2014, general election, the voters of Washington County voiced their opinion on whether the County should impose a sales and use tax of one-tenth of one percent to fund recreational and cultural organizations and facilities ("RAP tax") in accordance with Utah Code Section 59-12-701 et seq.; and

WHEREAS, in the canvass of the general election, the county commission accepted that a majority of the ballots cast were in favor of the imposition of a RAP tax;

WHEREAS, the county commission approved the RAP tax, and the tax became operative on April 1, 2015; and

WHEREAS, prior to the imposition of the RAP tax, the County and most of the municipalities, including Ivins City, entered in an interlocal agreement regarding the distribution of potential RAP tax revenue in order to allow voters to make an informed decision regarding the proposed RAP tax—this Amended Agreement maintains the same distribution formula; and

WHEREAS, the County and municipalities are authorized to enter into the attached First Amended Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue in Washington County ("Amended Agreement") by the Utah Interlocal Cooperation Act, Utah Code Section 11-13-215 ("Interlocal Act") and also under Utah Code Section 59-12-704(6)(b); and

WHEREAS, the stated purposes of the Amended Agreement by the County are to (1) clarify that the County will seek the advice of an advisory board regarding the distribution of RAP tax revenue to cultural organizations (as defined in Utah Code Section 59-12-702), but that Municipalities are not obligated to seek advice from the county-appointed advisory board and (2) to clarify that County and Municipalities are allowed to fund ongoing operating expenses for recreational and cultural facilities with RAP tax revenue;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF IVINS CITY, STATE OF UTAH, AS FOLLOWS:

That the attached First Amended Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue between Washington County and Municipalities within the county, including Ivins City, is hereby approved and the Mayor is hereby authorized to execute same.

Effective Date: This Resolution shall become effective immediately upon adoption by the City Council.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF JUNE, 2015 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
George E. Elwell, Jr.	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Lesley Mendenhall	_____	_____	_____	_____
Steven Roberts	_____	_____	_____	_____
Ron Densley	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez
City Recorder

WASHINGTON COUNTY

_____
JAMES EARDLEY, Chair
Washington County Commission

ATTEST:

_____
Kim M. Hafen
Washington County Clerk-Auditor

Commissioner Eardley voted ____
Commissioner Drake voted ____
Commissioner Gardner voted ____

AATF: EWC